

Senate Engrossed

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
Senate
Forty-seventh Legislature
Second Regular Session
2006

CHAPTER 45

SENATE BILL 1044

AN ACT

AMENDING SECTION 9-511.01, ARIZONA REVISED STATUTES; RELATING TO WATER AND
WASTEWATER SERVICE RATES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 9-511.01, Arizona Revised Statutes, is amended to
3 read:
4 9-511.01. Water and wastewater business; rates; procedures
5 A. A municipality engaging in a domestic water or wastewater business
6 shall not increase any water or wastewater rate or rate component, fee or
7 service charge without complying with the following:
8 1. Prepare a written report or supply data supporting the increased
9 rate or rate component, fee or service charge. A copy of the report shall be
10 made available to the public by filing a copy in the office of the clerk of
11 the municipality governing board at least thirty days ~~prior to~~ BEFORE the
12 public hearing described in paragraph 2 ~~of this subsection~~.
13 2. Adopt a notice of intention by motion at a regular council meeting
14 to increase water or wastewater rates or rate components, ~~fee FEES or service~~
15 ~~charge CHARGES~~ and set a date for a public hearing on the proposed increase
16 ~~which~~ THAT shall be held not less than thirty days after adoption of the
17 notice of intention. A copy of the notice of intention showing the date,
18 time and place of ~~such~~ THE hearing shall be published one time in a newspaper
19 of general circulation within the boundaries of the municipality not less
20 than twenty days ~~prior to~~ BEFORE the public hearing date.
21 B. After holding the public hearing, the governing body may adopt, by
22 ordinance or resolution, the proposed rate or rate component, fee or service
23 charge increase or any lesser increase.
24 C. Notwithstanding section 19-142, subsection B, the increased rate or
25 rate component, fee or service charge shall become effective thirty days
26 after adoption of the ordinance or resolution.
27 D. ANY PROPOSED WATER OR WASTEWATER RATE OR RATE COMPONENT, FEE OR
28 SERVICE CHARGE ADJUSTMENT OR INCREASE SHALL BE JUST AND REASONABLE.
29 E. RATES AND CHARGES DEMANDED OR RECEIVED BY MUNICIPALITIES FOR WATER
30 AND WASTEWATER SERVICE SHALL BE JUST AND REASONABLE. EVERY UNJUST OR
31 UNREASONABLE RATE OR CHARGE DEMANDED OR RECEIVED BY A MUNICIPALITY IS
32 PROHIBITED AND UNLAWFUL.

APPROVED BY THE GOVERNOR APRIL 6, 2006.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 6, 2006.